

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROSE GOLD LLC,

Plaintiff,

v.

PYACTIV, INC.,

Defendant.

CIVIL ACTION
NO. 17-03647

ORDER

AND NOW, this 7th day of September, 2018, upon consideration of Defendant's Motion to Dismiss, (ECF No. 14), and Plaintiff's Amended Motion for Summary Judgment, (ECF No. 18), it is hereby **ORDERED** that:

1. Defendant's Motion to Dismiss is **DENIED**.
2. Plaintiff's Amended Motion for Summary Judgment is **DENIED**.

BY THE COURT:

___/s/ Gerald J. Pappert___
GERALD J. PAPPERT, J.